



# Department of Planning, Housing, & Community Development

**Mayor, Richard C. David**  
Director, Dr. Juliet Berling

## STAFF REPORT

Date: August 31, 2015  
Subject: 52 Louisa St; Use Variance  
Applicant: Michael Kuhn  
Tax ID #: 145.69-3-50  
Case: 2015-17

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### A. SUMMARY:

The applicant seeks a Use Variance to convert an existing 2-family house into a 3-family house in the R-2, Residential One- and Two-Unit Dwelling District. The subject parcel is located on Louisa Street, bound by George and William Streets. The lot is approximately 7,000 sq ft and is occupied by a 2,100 sq ft, two-story residential structure. Land use in the vicinity is predominantly residential with some neighborhood-commercial uses located nearby on Robinson Street.

*No other reviews are currently underway.*

### B. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

198-200 Robinson Street—The Planning Commission granted a Special Use Permit to John Metz in 1998 to construct a 24 by 30-foot canopy over an existing fuel island at a gasoline convenience market.

199 Robinson Street – The Zoning Board of Appeals granted an area variance of off-street parking requirements to Doug Wong in 1989.

3 Louisa Street: A request by Frank Meier for an area variance of rear yard setback requirements to construct an addition to an existing building was approved by the Zoning Board of Appeals in 1973.

7 Louisa Street:

- The Planning Commission approved a Series A Site Plan Review request by Frank Meier in 1999 to demolish an existing residence and construct a parking lot.
- Variance requests by Frank Meier in 1999 to demolish an existing residence and construct a parking lot were approved by the Zoning Board of Appeals.

51 Louisa Street:

- In January of 1977, the Zoning Board of Appeals denied an area variance request for the required lot dimensions and setbacks for the conversion of a garage to a studio apartment.

75 Louisa Street:

- In March of 1987, the Zoning Board of Appeals approved area variances for minimum lot width and minimum lot area for the construction of a four-family house.

**C. ENVIRONMENTAL IMPACT**

The applicant's proposal is a SEQR **UNLISTED** Action. The Planning Commission may be the lead agency to determine any environmental significance.

Motion to determine what type of action:

- a. Type I
  - b. Type II
  - c. **Unlisted**
2. Determine Lead Agency and other involved agencies.
  3. Motion to schedule a public hearing.
  4. After the Public Hearing, Determination of Significance. (See EAS Part 2 & Part 3)

	NO, OR SMALL IMPACT MAY OCCUR	MODERATE TO LARGE IMPACT MAY OCCUR
Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		<b>X</b>
Will the proposed action result in a change in the use or intensity of use of land?	<b>X</b>	
Will the proposed action impair the character or quality of the existing community?	<b>X</b>	
Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<b>X</b>	
Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<b>X</b>	
Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<b>X</b>	
Will the proposed action impact existing:  A. public / private water supplies?	<b>X</b>	

B. public / private wastewater treatment utilities?		
Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<b>X</b>	
Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<b>X</b>	
Will the proposed action result in an increase in the potential for erosion, flooding or drainage Problems?	<b>X</b>	
Will the proposed action create a hazard to environmental resources or human health?	<b>X</b>	

## **F. STAFF FINDINGS**

Planning Staff has the following findings:

- (1) If granted, the variance would not produce an undesirable change in the character of the neighborhood. The additional residential use would only provide for two (2) more residents at a maximum. Lastly, the basement conversion will not require any major exterior alterations or additions to the existing building.
- (2) The applicant is currently renting his property, so economic deprivation is not a concern.
- (3) The hardship is not unique to this particular property. Due to the R-2 designation, the applicant is not able to attain maximum usage or profit. The applicant would like to rent the top to two apartments; while, living in the basement of his property post-construction.

## **H. ENCLOSURES**

Enclosed are copies of the site plan, the application and site photos.